

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
APR 29 2008  
JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

P. DALE DESKINS,

Plaintiff,

vs.

ASSOCIATED CREDIT SERVICES, INC., et  
al.

Defendants.

Case No. CV-08-049LRS

**AFFIDAVIT OF PLAINTIFF IN  
SUPPORT OF MOTION FOR DEFAULT  
AS TO DEFENDANTS JOHN M.  
SOLBERG, ET UX., ERIC M. SOLBERG,  
ET UX., AND ASSOCIATED CREDIT  
SERVICES, INC., A WASHINGTON  
CORPORATION**

STATE OF WASHINGTON )

) ss.

COUNTY OF SPOKANE )

P. Dale Deskins, Plaintiff herein, being first duly sworn upon oath deposes and states  
as follows, under penalty of perjury,

1. I am over the age of eighteen (18) and competent to testify to those matters contained  
herein, and that I am the plaintiff in this matter;
2. I am not in the U.S. military;
3. Defendants Eric Solberg, et ux., Jon Solberg, et ux., and Associated Credit Services,

AFFIDAVIT - 1

P. Dale Deskins  
12128 N. Division, #136  
Spokane, WA 99218

1 Inc. reside or do business in Washington State, and therefore personal jurisdiction and  
 2 venue are proper in United States District Court, Eastern District of Washington for  
 3 violations under the Fair Debt Collections Practice Act, and other laws and statutes  
 4 referenced in plaintiff's complaint herein.

- 5 4. Defendants have been served by the U.S. Marshal, as shown in attached Exhibits A, B  
 6 and C, and have not Appeared nor filed any Answer to the allegations in plaintiff's  
 7 complaint in this matter, and over twenty (20) days have elapsed since the dates of  
 8 service on Defendants.
- 9 5. Attached is a true and accurate copy of the accounting compiled by plaintiff in this  
 10 matter containing plaintiff's reasonable damages, as well as the statutory damages for  
 11 various violations under federal and state laws by Defendants.
- 12 6. Plaintiff has incurred costs for photocopying of \$10.00.

13 This Affidavit is freely given on this 29th day of April, 2008.

14   
 15 P. Dale Deskins, Plaintiff Pro Se

16 STATE OF WASHINGTON )

17 ) ss.

18 COUNTY OF SPOKANE )

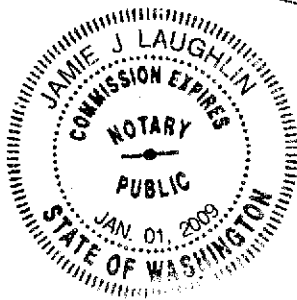
19 On P. DALE DESKINS before me, personally appeared P. Dale Deskins, who  
 20 proved to me on the basis of satisfactory evidence to be the person(s) whose  
 21 name(s) is/are subscribed to the within instrument and acknowledged to me that  
 22 he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
 23 his/her/their signature(s) on the instrument the person(s), or the entity upon behalf  
 24 of which the person(s) acted, executed the instrument.

25 **I certify under PENALTY OF PERJURY under the laws of the State of  
 Washington that the foregoing paragraph is true and correct.**

AFFIDAVIT - 2

P. Dale Deskins  
 12128 N. Division, #136  
 Spokane, WA 99218

1 WITNESS my hand and official seal.



*Jamie J. Laughlin*  
Printed Name: JAMIE J. LAUGHLIN  
NOTARY PUBLIC in and for the State  
of Washington, Residing at SPOKANE.  
My Commission Expires: 01-01-09.

25 AFFIDAVIT - 3

P. Dale Deskins  
12128 N. Division, #136  
Spokane, WA 99218

EXHIBIT A

U.S. Department of Justice  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**

See Instructions for "Service of Process by the U.S. Marshal"  
on this form.

PLAINTIFF

P. DALE DESKINS

MAR 11 2008

COURT CASE NUMBER

CV-08-049 LRS

DEFENDANT

ASSOCIATED CREDIT SERVICES, INC.

JAMES R. LARSEN, CLERK

TYPE OF PROCESS

ORIGINAL

SERVE

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

JON M. SOLBERG & JANE DOE SOLBERG, H & W

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

AT

4331 MAMER RD., SPOKANE, WA 99206

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

P. DALE DESKINS, PRO SE  
12128 N. DIVISION, #136  
SPOKANE, WA 99218

Number of process to be served with this Form - 285

(2) SVC

Number of parties to be served in this case

(9) TOTAL DESKINS

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Residence Address: AFTER 6:00 pm  
or weekends likely to be home

Signature of Attorney or other Originator requesting service on behalf of:

P. DALE DESKINS, PRO SE

☒ PLAINTIFF  
☐ DEFENDANT

TELEPHONE NUMBER

276 9873  
message

DATE

2-26-08

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated.  
(Sign only first USM 285 if more than one USM 285 is submitted)

Total Process  
1

District of Origin  
No. 085

District to Serve  
No. 085

Signature of Authorized USMS Deputy or Clerk  
C. L. R. [Signature]

DATE  
08 MAR 11 2008

TIME  
10:10 AM

I hereby certify and return that I ☒ have personally served, ☒ have legal evidence of service, ☐ have executed as shown in "Remarks" the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service  
3/10/08

Time  
3:10 pm

Signature of U.S. Marshal or Deputy  
C. L. R. [Signature]

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

PRIOR EDITIONS  
MAY BE USED

1. CLERK OF THE COURT

FORM USM-285 (Rev. 12/15/00)

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		<b>A. Signature</b> X <i>Jenni Solberg</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
<b>1. Article Addressed to:</b> <i>Jon M Solberg + Jenne Doe Solberg 4331 Manner Rd. Spokane, WA. 99206</i>		<b>B. Received by (Printed Name)</b> <i>Jenni Solberg</i>	<b>C. Date of Delivery</b> <i>3-6-08</i>
<b>2. Article Number</b> (Transfer from service label)		<b>D. Is delivery address different from item 1?</b> <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No	
		<b>3. Service Type</b> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		<b>4. Restricted Delivery? (Extra Fee)</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		<b>7007 0710 0002 6327 7111</b>	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

(6)

EXHIBIT B

U.S. Department of Justice  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**  
 U.S. District Court for "Service of Process by the U.S. Marshal"  
 EASTERN DISTRICT OF WASHINGTON  
 on the reverse of this form.

PLAINTIFF

MAR 11 2008

COURT CASE NUMBER

P. DALE DESKINS

JAMES R. LARSEN, CLERK  
DEPUTY

CV-08-049 LRS

DEFENDANT

SPOKANE, WASHINGTON

TYPE OF PROCESS

ASSOCIATED CREDIT SERVICES, ET AL.

ORIGINAL

SERVE

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

ASSOCIATED CREDIT SERVICES, INC.

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

AT

12815 E. Sprague  
C/O ERIC M. SOLBERG, REG. AGENT #200, SPOKANE Valley, WA

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

P. DALE DESKINS, PRO SE  
 12128 N. DIVISION #136  
 SPOKANE, WA 99218

Number of process to be served with this Form - 285

① 99016  
S+C

Number of parties to be served in this case

⑨ total  
DEFS

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

10-5:00 pm, office Address For Collection Agency  
 SERVE ERIC SOLBERG PERSONALLY

Signature of Attorney or other Originator requesting service on behalf of:

P. DALE DESKINS, PRO SE

☒ PLAINTIFF  
☐ DEFENDANT

TELEPHONE NUMBER

2-76-9873

DATE

2-26-08

## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.  
 (Sign only first USM 285 if more than one USM 285 is submitted)

Total Process  
①District of Origin  
OSDistrict to Serve  
OS

Signature of Authorized USMS Deputy or Clerk

I hereby certify and return that I ☐ have personally served, ☒ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address indicated below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service

3/10/08

Time

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund

REMARKS:

PRIOR EDITIONS  
MAY BE USED

1. CLERK OF THE COURT

FORM USM-285 (Rev. 12/15/00)

⑧



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature  <input checked="" type="checkbox"/> <i>Lean Reed</i></p> <p>B. Received by (Printed Name)  <i>Lean Reed</i></p> <p>C. Date of Delivery  <i>7/20/06</i></p> <p>D. Is delivery address different from Item 1?  <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No          If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p><i>Associated Credit Service</i>  <i>Eric Solberg</i>  <i>12815 E. Sprague</i>  <i>#2000</i>  <i>Spokane Valley, WA</i>  <i>99016</i></p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number          (Transfer from service label)</p> <p><i>7007 0710 0002 6327 7081</i></p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, February 2004

Domestic Return Receipt

102505-02-000 540

EXHIBIT C

U.S. Department of Justice  
United States Marshals Service

## PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal"  
U.S. District Court for the Eastern District of Washington

PLAINTIFF <u>P. DALE DESKINS</u>	MAR 11 2008 JAMES R. LARSEN, CLERK	COURT CASE NUMBER <u>CV-08-049LRS</u>
DEFENDANT <u>ASSOCIATED CREDIT SERVICES ET AL</u>	SPOKANE, WASHINGTON DEPUTY	TYPE OF PROCESS <u>ORIGINAL</u>
SERVE ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>ERIC M. SOLBERG &amp; JANE DOE SOLBERG, H&amp;W</u>	
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>23014 WAGON ROAD, COLBERT, WA 99005</u>	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		
<u>P. DALE DESKINS, PRO SE</u>		
<u>12128 N. DIVISION, #136</u>		
<u>SPOKANE, WA 99218</u>		
Number of process to be served with this Form - 285		<u>(2) S+C</u>
Number of parties to be served in this case		<u>(9) TOTAL DEFERS</u>
Check for service on U.S.A.		

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Residence Address: AFTER 7:30 P.M.  
OR WEEKENDS  
LIKELY TO BE HOME (B)

Signature of Attorney or other Originator requesting service on behalf of: <u>P. DALE DESKINS, PRO SE</u>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <u>276-9873</u>	DATE <u>2-26-08</u>
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## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process <u>1</u>	District of Origin <u>085</u>	District to Serve <u>085</u>	Signature of Authorized USMS Deputy or Clerk <u>[Signature]</u>	Date <u>3/4/08</u>
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I hereby certify and return that I ☐ have personally served ☒ have legal evidence of service, ☐ have executed as shown in "Remarks" the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (if not shown above)

Address (complete only if different than shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service 3/10/08 Time 5:15 am pm

Signature of U.S. Marshal or Deputy  
[Signature]

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund


REMARKS:

PRIOR EDITIONS  
MAY BE USED

1. CLERK OF THE COURT

FORM USM-285 (Rev. 12/15/00)

(11)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	<p>A. Signature  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>ERIC SOLBERG</u> C. Date of Delivery <u>3/27/08</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p><u>Eric Solberg &amp;</u> <u>Jane Doe</u> <u>21014 Wagon Rd.</u> <u>Colbert, WA.</u> <u>99005</u></p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p><u>7007 0710 0002 6327 7104</u></p>

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**EXHIBIT D**

Specifically, the following amounts are due and owing to Plaintiff by Defendants, tracking Plaintiff's Complaint filed herein;

1. Three (3) Phone calls to Plaintiff at Plaintiff's Workplace, after Defendants' Receipt of a Cease and Desist Directive from Plaintiff. (@ \$1,000 for each violation) **\$3,000.00**  
 (15 USC Sec. 1692c(a)(1) and other WA state laws)  
 (15 USC Sec. 1692c(a)(3) and other WA state laws)  
 (15 USC Sec. 1692c(b) and other state laws)  
 (15 USC Sec. 1692d(5), 15 USC 1691, et. seq. and other state laws)
  
2. Erroneous Filing of Lawsuit Against Plaintiff in Spokane County, Which was Improper Jurisdiction (@ \$1,000 for each violation) **\$1,000.00**  
 (15 USC Sec. 1692i(a)(2)(A&B and other state laws)  
 (15 USC Sec. 1692e(2)(A) and other state laws)
  
3. Contacting Plaintiff Personally by Walking Into Plaintiff's Workplace on Two Occasions, After Defendant's Receipt of a Cease and Desist Directive from Plaintiff. (@ \$1,000 for each violation) **\$2,000.00**  
 (15 USC Sec. 1692c(a)(1) and other WA state laws)  
 (15 USC Sec. 1692c(a)(3) and other WA state laws)  
 (15 USC Sec. 1692c(b) and other state laws)  
 (15 USC Sec. 1692d(5), 15 USC 1691, et. seq. and other state laws)
  
4. Leaving 3 Phone Messages With Plaintiff's Employer, a 3rd Party, After Defendant's Receipt of a Cease and Desist Directive from Plaintiff. (@ \$1,000 for each violation) **\$3,000.00**  
 (15 USC Sec. 1692c(b)  
 (15 USC Sec. 1692c(a)(1) and other WA state laws)  
 (15 USC Sec. 1692c(a)(3) and other WA state laws)  
 (15 USC Sec. 1692c(b) and other state laws)  
 (15 USC Sec. 1692d(5), 15 USC 1691, et. seq. and other state laws)
  
5. Causing Humiliation, Embarrassment, Harassment and Oppression of Plaintiff's at her Workplace to Coerce Payment of an Alleged Debt by Leaving Repeated Phone Messages and Making Repeated Phone Calls to Plaintiff at Plaintiff's Workplace after Defendants Received More than One Cease and Desist Directive from Plaintiff (5 contacts) (@ \$1,000 for each violation) **\$5,000.00**  
 (15 USC Sec. 1692d, 15 USC Sec. 1691, et seq. and other state laws)
  
6. False Reporting of Plaintiff's Alleged Debt to Credit Bureaus as "Unpaid", Rather than as "Disputed", at least 1 time

- that is known, therefore making false statement about Character, or Legal Status of Alleged Debt, Thereby Invading Plaintiff's Privacy and Defamation to Plaintiff's Credit Standing and/or Creditworthiness, Injuring Plaintiff (@\$1,000 for each violation) \$1,000.00  
(15 USC Sec. 1681, et seq. and 1692e, and other state laws)
7. Violation of Plaintiff's Right to Privacy by Having No Meaningful Involvement in Case by Attorney for Plaintiff at Least One Time (@\$1,000 for each violation) \$1,000.00  
(15 USC Sec. 1692(e))(9) and (10) and other state laws)
8. Failing to State in Every Personally-drafted Communication and Telephone Call to Plaintiff That it was made by a Debt Collector, and Failure to Include Pertinent Debt Collector Language ("mini-Miranda warning"). (@\$1,000 for each violation) Violation of 15 U.S.C. Section 1692(e)(11) \$2,000.00
9. Plaintiff's Suffering of Mental Anguish and Emotional Distress as a Proximate Cause of Defendants' Repeated Abuse and Oppressive Illegal Contacts with Her at her Place of Work, etc., Resulting in Loss of Reputation, Loss of Sleep, Loss of Appetite, Anxiety, Compromised Workplace Performance, Depression, Loss of Time and Income, Withdrawal from Social Interactions, and other emotional and mental distress. Plaintiff, a single woman with a single source of income, reasonably believed after each of these illegal acts that she was placed in a false light with plaintiff's law firm employer by Continual Interference with plaintiff's businessrelationship with her lawyer where she is a paralegal/bookkeeper. Defendant's Repeated Contacts Jeopardized Plaintiff's Employment and Angered Plaintiff's Employer. (Reasonable Amount of Damages) \$37,000.00,  
or as Court  
Deems Fair  
&Equitable
10. Treble Damages Under RCW 19.86.090, et seq., for Violation of RCW 19.16.250 for Commission of Act or Practice Prohibited by RCW 19.16.250 \$ 54,000.00
- AMOUNT OF DAMAGES TREBLED**
11. Entry of Permanent Injunction Prohibiting Defendants, and Each of Them, and/or Defendant's Agents or Assigns, from hereafter legally seeking to Collect on Its Alleged Claim from Ever being Allowed to Recover Any Interest, Service Charge, Attorneys' Fees, Collection Costs, Delinquency Charge, or any other Fees or Charges Pursuant to RCW 19.16.250 00.00  
Allowed court costs for all photocopies: \$10.00

**TOTAL AMOUNT OF DAMAGES, OR  
AS COURT DEEMS JUST & EQUITABLE:** **\$162,010.00**